

**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT**

AGENCY: Office of Contracting and Procurement on behalf of
Department of Energy and Environment

CONTRACTOR: Geosyntec Consultants, Inc.

CONTRACT NUMBER: CW42766

CAPTION: Harvest/Reuse Monitoring at Engine Houses 3 and 25

FINDINGS

1. AUTHORIZATION

D.C. Official Code §2-354.04; There is only one source for the required goods or services.
Cite 27 DCMR 1304 and 27 DCMR 1700 and 1701 as applicable.

2. MINIMUM NEED

The Department of Energy and Environment (DOEE) has a minimum need for monitoring at two research sites located at District Fire Engine Houses. Two advanced rainwater harvesting systems, using a proprietary water-level control system developed by Geosyntec Consultants, Inc., were installed at District Fire Engine Houses 3 and 25 under Contract No. DCKG-2009-C-0029. This first phase of the project was limited in scope to only the installation of cisterns, monitoring and control systems, and permeable friction course paving, again using Geosyntec proprietary technology. The second phase of the project is to conduct water quality monitoring to assess the performance of the harvest/reuse systems and paving installed at each fire station. These systems reduce the volume of stormwater and associated pollutants discharged to District waterways, and are therefore critical to DOEE's mission "to improve the quality of life for the residents and natural inhabitants of the nation's capital by protecting and restoring the environment, conserving our natural resources, mitigating pollution, increasing access to clean and renewable energy, and educating the public on ways to secure a sustainable future." In addition, these systems can be installed at fire stations throughout the District, greatly reducing the need for the potable water currently used to fill the fire engines and wash vehicles, preventing polluted stormwater from entering waterways, and educating the public about the importance stormwater runoff.

Period of performance is one year from March 30, 2017 to March 29, 2018.

3. ESTIMATED FAIR AND REASONABLE PRICE

The government estimated fair and reasonable cost for this project is \$141,512.00.

4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT

Geosyntec Consultants, Inc. (Geosyntec) is using its proprietary water-level quality control technology provided by OptiRTC, Inc. On July 2013 under a Purchase Order for one (1) year Geosyntec was required to monitor and perform water quality study. Time has lapsed from 2014 to 2016. Contract CW42766 started March 30, 2016 for a base period and one (1) option year for services to continue with Geosyntec to continue collecting data from Engine Houses 3 and 25. The contract is to collect samples from 20 rainstorms.

The essential and indispensable component of the Geosyntec installed water quality monitoring system second phase at two District Fire Engine House research sites still requires the use of the proprietary water-level quality control technology provided by OptiRTC, Inc. Without the use of the complex monitoring system, Geosyntec technicians will not be able to complete data and the project will therefore require termination. OptiRTC, Inc. proprietary patented technology is not provided by any other commercial entity. Geosyntec is the only one responsible source and no other contractor will satisfy agency requirements to complete DOE's phase two water quality monitoring requirement at two identified District Fire Engine House research sites.

Market Research

A search on the Department of Small and Local Business Development (DSLBD) website was conducted using the following commodity codes: 493-96-00 for Water Quality Monitoring Equipment, 493-96-00 Water Quality Monitoring Equipment: BOD Analyzers, Turbid meters, Well Samplers, etc., 493-96-40 Monitoring Equipment, Water, 926-88-00 Storm Water Discharge Testing Services, 926-85-90 Laboratory Analysis Service, Water Samples, 989-91-00 Water Sampling and Analysis Services, and 989-91-80 Sampling and Analysis Services, and water. A total of four (4) companies resulted from this search, Capitol City Associates, Inc., Gilford Construction Corporation, L.S. Caldwell & Associates, Inc., and Pantera Management Group LLC. An e-mail was sent to all four (4) companies requesting if they would respond to a market research on Water Quality Monitoring using OptiRTC System. No responses were received after a week.

5. CERTIFICATION BY THE AGENCY HEAD

I hereby certify that the above findings are true, correct and complete.

Tommy Wells
Director
Department of Energy and Environment

Date

6. CERTIFICATION BY THE CONTRACT OFFICER

I have reviewed and certify the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with 27 DCMR 1304.1 and Section 404(c) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code §2-354.04) and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Marie Niestrath
Supervisory Contract Specialist
Department of Energy and Environment

Date

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

George A. Shutter III
Chief Procurement Officer

Date